REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the rejections of the claims is respectfully requested. Claims 1-26 currently are pending. By way of the present response, claims 1, 9 and 18 have been amended. Consequently, claims 1-26 remain pending for consideration with claims 1, 9 and 18 being independent.

In the Office Action, claims 1, 2, 4-7, 9-11, 13-16, 18-20 and 22-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,047,093 to Lopresti et al. (Lopresti); claims 3, 12 and 21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Lopresti in view of U.S. Patent No. 6,778,703 to Zlotnick (Zlotnick); and claims 8, 17 and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious over Lopresti in view of U.S. Patent No. 6,519,617 to Wanderski et al. (Wanderski).

In particular, the Office asserts that Lopresti et al teaches: A comparison system that compares one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents (Abstract: whereas, an original document is the scanned electronic version of the document, and portions of the original document are compared against the same types of elements (types such as layout, font characterization, column 7, lines 20-34, and column 8, lines 1-6) , through certificate data documents stored in the hard copy of the scanned document (column 7, lines 50-57); a determination system that identifies the stored document with the portion which is closest to the portion of the original document based on the comparing (column 7, lines 1-15, column 7, lines 34-67, Figure 6: whereas, the stored certificate is compared to the corresponding portion of scanned certificate data (from generated marker) of the scanned electronic version of the document); and a mutation system that applies one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document (column 7, lines 1-33: whereas the scanned electronic version of the document has mutators applied to it, to match the portion of stored document/certificate that was applied to the stored version).

Further, the Office asserts that Zlotnick teaches a determination system further comprises a scoring system that generates a score for each of the comparisons of the portion

of the original document against each of the portions of each of the plurality of stored documents, wherein the determination system identifies the stored document with the portion with the score which is closest to the portion of the original based on the generated scores (column 2, lines 38-45: whereas, the 'current'/original document/template is, being compared to other document/templates, and a stored document/template is selected based on the closes matching score). The Office asserts that it would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Lopresti's determination system such that it would have included a comparison ranking system for selection of the closest matched stored document as taught by Zlotnick. The combination of Lopresti and Zlotnick would have allowed Lopresti's system to have "provided improved methods for automatically identifying which of a plurality of templates (documents) corresponds to a given form document" (Zlotnick, column 2, lines 10-14).

Still further, the Office asserts that Wanderski teaches a system comprising storing the output, original document with the applied mutators as one of the stored documents (column 14, lines 48-52: whereas, the DTD contains one or more mutators for the document, and the generated output can be stored for later processing). The Office asserts that it would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Lopresti's system to have further included the ability to store the output as one of the stored documents as taught by Wanderski. The combination of Lopresti and Wanderski would have allowed Lopresti's system to have "automatically transformed documents using dynamically –selected transformations" (Wanderski, column 4, lines 13-14).

With respect to independent claims 1, 9 and 18, as amended, neither Lopresti, Zlotnick nor Wanderski, alone or in combination, teach or suggest a method, system, or medium for dynamic document layout including the features of "a comparison system adapted to compare one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents, wherein the portion of the original document is the portion that requires adjustment or re-layout ... a mutation system adapted to apply one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document, wherein mutators include at least one of a font type adjustor, a line spacing adjustor, at least one color adjustor and at least one section location adjustor in the portion of

the original document," "comparing one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents, wherein the portion of the original document is the portion that requires adjustment or re-layout ... applying one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document, wherein mutators include at least one of a font type adjustor, a line spacing adjustor, at least one color adjustor and at least one section location adjustor in the portion of the original document," and "comparing one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents, wherein the portion of the original document is the portion that requires adjustment or re-layout ... applying one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document, wherein mutators include at least one of a font type adjustor, a line spacing adjustor, at least one color adjustor and at least one section location adjustor in the portion of the original document," respectively. (See, for example, paragraphs [0020] and [0023] of published application).

In contrast, the teachings of Lopresti are directed to optical character recognition of printed documents. Particularly, Lopresti discloses a document marker, including first values dependent upon the layout and the contents of the document and assigned by generating or preprocessing software, is provided in machine-readable symbology on the face of a printed version of the document (see Fig. 6, col. 7, line 34 to col. 8, line 14). The marker may include encoded document layout information and values assigned on sequences of the original text, including text-dependent decimation sequences, error correction codes or check-sums. Upon optical character recognition scanning, or other digitizing reproduction, the marker is also scanned. The scanning computer, having corresponding software, assigns second values dependent upon the layout and contents of the reproduced document. Upon comparison of the first and second decimation sequences, line and character errors can be detected and some errors corrected, thereby generating re-aligned candidate sequences. Optional error correction codes can provide further correcting capabilities, as applied to the re-aligned reproduced document sequences; and, an optional check-sum comparison can be utilized to verify the accuracy of the reproduced sequences are correct. However, Lopresti does not teach or suggest the features of a comparison system

adapted to compare one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents, wherein the portion of the original document is the portion that requires adjustment or re-layout ... a mutation system adapted to apply one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document, wherein mutators include at least one of a font type adjustor, a line spacing adjustor, at least one color adjustor and at least one section location adjustor in the portion of the original document, as presently claimed. Applicants contend that a document marker as disclosed in Lopresti cannot read on portions or mutators, as claimed and supported in paragraphs [0020] and [0023] of the published application.

Similarly, Zlotnick and Wanderski fail to cure the deficiencies in Lopresti, as discussed above. Accordingly, amended independent claims 1, 9 and 18 are allowable over the applied references, taken alone or in combination. The dependent claims are allowable over the applied references, taken alone or in combination, on their on merits and for at least the reasons as argued above with respect to their independent claims 1, 9 and 18. Thus, Applicants respectfully request that the rejections of all dependent claims likewise be removed.

The present invention involves a novel approach in first looking to stored documents which were mutated in the past, a determination of which of the previously mutated and stored documents most closely resembles the document currently being mutated, and then uses the mutators applied to mutate the previously stored documents. The claimed invention, therefore, utilizes a case-based approach that applies at least one mutation to an original document to be displayed or printed.

For instance, claim 1 is directed to a system comprising a comparison system (*e.g.,* system 12 shown in FIG. 1 and described starting on page 3, line 1 of paragraph 00015 to page 5, the last line of paragraph 00017) that compares one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents (*e.g.,* see page 6, lines 1-9 of paragraph 00021), a determination system that identifies the stored document with the portion which is closest to the portion of the original document based on the comparing (*e.g.,* see page 6, lines 9-12 of

paragraph 00021, and lines 1-10 of paragraph 00022), and a mutation system that applies one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document (*e.g.,* see page 6, lines 1-3 of paragraph 00023; page 7, lines 1-3 of paragraph 00025; page 8, lines 1-3 of paragraph 00027; and page 9, lines 1-5 of paragraph 00028).

Further, claim 9 is directed to a method (*e.g.,* see FIG. 2 and page 5, lines 1-3 of paragraph 00020) comprising the processes of comparing one or more elements of at least a portion of an original document against the same types of elements in at least a portion each of a plurality of stored documents (*e.g.,* see item 102 in FIG. 2; and page 6, lines 1-5 of paragraph 00021), identifying the stored document with the portion which is closest to the portion of the original document based on the comparing (*e.g.,* see item 104 in FIG. 2; page 6, lines 9-12 of paragraph 00021; and lines 1-10 of paragraph 00022); and applying one or more mutators to the portion of the original document which were applied to mutate the portion of the identified stored document(*e.g.,* see items106 and 114 in FIG. 2; page 6, lines 1-3 of paragraph 00023; page 7, lines 1-3 of paragraph 00025; page 8, lines 1-3 of paragraph 00027; and page 9, lines 1-5 of paragraph 00028). Similar processes are recited in claim 18 with respect to a computer readable medium having instructions stored thereon that cause a processor to perform the processes recited in claim 9 (*e.g.,* see page 4, lines 1-6 of paragraph 00017).

Accordingly, Applicants submit that neither Lopresti, Zlotnick nor Wanderski, taken alone or in combination, teach the novel features of the claimed invention, and respectfully request that the rejections of independent claims 1, 9 and 18 and their respective dependent claims be reconsidered and withdrawn.

In view of all of the foregoing, Applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: April 18, 2008

/Sean A. Pryor, Reg. #48103/
Sean A. Pryor

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1014
Facsimile: (585) 263-1600